

REMARKS

Claims 10-18 are pending.

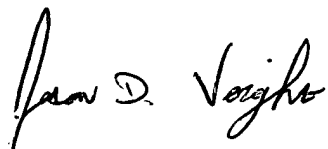
Claims 10-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over De Beer et al. (CA 114:57538, abstract of ZA 8,903,661) in view of Garst et al. (WO 95/28410). Applicants respectfully traverse this rejection. The Examiner has again questioned the data of Table 3 of the specification, but the Examiner's statement that "it does not the % after 14 days storage" is not understood. In each of Examples 15 and 16 and Comparative Example 4, the level of active compound is the **same** 7.3% **before** storage. In Examples 15 and 16, an alkylpolyglycoside is mixed with the sulfonylurea. As is shown in the second column from the right in Table 3, in Examples 15 and 16 and Comparative Example 4, the level of active sulfonylurea **after** 14 days storage is reduced to 62%, 70% and 48% of the initial level before storage. Thus, use of the present invention increased the relative level of active compound from 48% to 62% or 70% after 14 days of storage. Such results were unexpected and overcome the rejection over De Beer et al. and Garst et al.

Regarding the double-patenting rejection over U.S. 6,482,772, applicants will disclaim all claims of that patent upon allowance of the present application over the cited art. Thus, it is requested that this rejection be held in abeyance.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read "Jason D. Voight". The signature is written in a cursive, flowing style.

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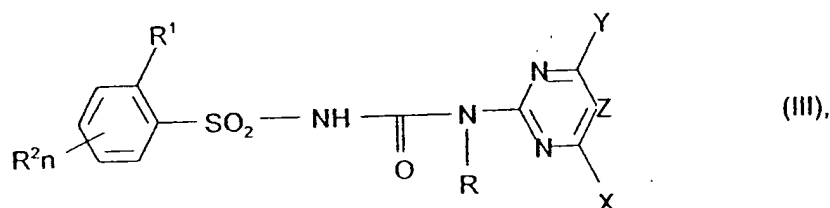
**COMPLETE LISTING OF ALL CLAIMS IN THE APPLICATION**

Claims 1-9 (canceled).

10. (previously added) A solid mixture comprising

- a) a sulfonylurea herbicide, and
- b) an alkylpolyglycoside.

11. (previously added) The solid mixture as claimed in claim 10, comprising a sulfonylurea of formula III



where:

R¹ is

C<sub>1</sub>-C<sub>4</sub>-alkyl, which may carry from one to five of the following groups:

methoxy, ethoxy, SO<sub>2</sub>CH<sub>3</sub>, cyano, chlorine, fluorine, SCH<sub>3</sub>, and S(O)CH<sub>3</sub>,  
halogen,

a group ER<sup>19</sup> in which E is O, S or NR<sup>20</sup>,

COOR<sup>12</sup>,

NO<sub>2</sub>,

S(O)<sub>n</sub>R<sup>17</sup>, SO<sub>2</sub>NR<sup>15</sup>R<sup>16</sup> or CONR<sup>13</sup>R<sup>14</sup>;

R² is hydrogen, methyl, halogen, methoxy, nitro, cyano, trifluoromethyl,

trifluoromethoxy, difluoromethoxy or methylthio;

- Y is F, CF<sub>3</sub>, CF<sub>2</sub>Cl, CF<sub>2</sub>H, OCF<sub>3</sub>, OCF<sub>2</sub>Cl, C<sub>1</sub>-C<sub>4</sub>-alkyl or C<sub>1</sub>-C<sub>4</sub>-alkoxy;
- X is C<sub>1</sub>-C<sub>2</sub>-alkoxy, C<sub>1</sub>-C<sub>2</sub>-alkyl, C<sub>1</sub>-C<sub>2</sub>-alkylthio, C<sub>1</sub>-C<sub>2</sub>-alkylamino, di-C<sub>1</sub>-C<sub>2</sub>-alkylamino, halogen, C<sub>1</sub>-C<sub>2</sub>-haloalkyl, C<sub>1</sub>-C<sub>2</sub>-haloalkoxy;
- R is hydrogen or methyl;
- R<sup>19</sup> is C<sub>1</sub>-C<sub>4</sub>-alkyl, C<sub>2</sub>-C<sub>4</sub>-alkenyl, C<sub>2</sub>-C<sub>4</sub>-alkynyl or C<sub>3</sub>-C<sub>6</sub>-cycloalkyl, each of which may carry from 1 to 5 halogen atoms. Furthermore, in the case that E is O or NR<sup>20</sup>, R<sup>19</sup> is also methylsulfonyl, ethylsulfonyl, trifluoromethylsulfonyl, allylsulfonyl, propargylsulfonyl or dimethylsulfamoyl;
- R<sup>20</sup> is hydrogen, methyl or ethyl;
- R<sup>12</sup> is a C<sub>1</sub>-C<sub>4</sub>-alkyl group which may carry up to three of the following radicals: halogen, C<sub>1</sub>-C<sub>4</sub>-alkoxy, allyl or propargyl;
- R<sup>17</sup> is a C<sub>1</sub>-C<sub>4</sub>-alkyl group which may carry from one to three of the following radicals: halogen, C<sub>1</sub>-C<sub>4</sub>-alkoxy, allyl or propargyl;
- R<sup>15</sup> is hydrogen, a C<sub>1</sub>-C<sub>2</sub>-alkoxy group or a C<sub>1</sub>-C<sub>4</sub>-alkyl group;
- R<sup>16</sup> is hydrogen or a C<sub>1</sub>-C<sub>4</sub>-alkyl group;
- R<sup>13</sup> is H, C<sub>1</sub>-C<sub>4</sub>-alkyl, or C<sub>1</sub>-C<sub>4</sub>-alkoxy;
- R<sup>14</sup> is C<sub>1</sub>-C<sub>4</sub>-alkyl;
- n is 1 - 2; and
- Z is N or CH.

12. (previously added) The solid mixture as claimed in claim 10, comprising a further herbicidally active compound c).
13. (previously added) The solid mixture as claimed in claim 10, comprising from 0.5 to 75% by weight of the component a).
14. (previously added) The solid mixture as claimed in claim 10, comprising from 1 to 50% by weight of the component b).
15. (previously added) The solid mixture as claimed in claim 10, comprising an alkylpolyglycoside having a degree of polymerization of 1-3.
16. (previously added) The solid mixture as claimed in claim 15, comprising an alkylpolyglycoside having a degree of polymerization of 1-2.
17. (previously added) A method of controlling undesirable plant growth, which comprises treating the plants and/or the area to be kept free of the plants with a herbicidal amount of a solid mixture as claimed in claim 10.
18. (previously added) A process for preparing herbicide formulations, which comprises mixing a sulfonylurea with an alkylpolyglycoside.